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Attorneys for Borough of Highlands, New Jersey

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In Re:	: Chapter 7
	:
KOSSOFF PLLC,	: Case No. 21-10699 (DSJ)
	:
Debtor.	:
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**RESPONSE OF BOROUGH OF HIGHLANDS, NEW JERSEY
TO TRUSTEE'S APPLICATION FOR AN ORDER
APPROVING THE SALE OF CONDOMINIUM LOCATE AT UNIT 1-9, TWIN LIGHTS
TERRACE CONDOMINIUM, HIGHLANDS, NEW JERSEY FREE AND CLEAR OF
LIENS, CLAIMS, ENCUMBRANCES AND OTHER INTERESTS**

TO THE HONORABLE DAVID S. JONES,
UNITED STATES BANKRUPTCY JUDGE:

The Borough of Highlands, New Jersey ("**Highlands**"), by its attorneys, Davison Eastman Muñoz Paone, P.A., submits this response to the Application (the "**Motion**") by Albert Togut, not individually but solely in his capacity as the Chapter 7 Trustee (the "**Trustee**") in this matter, for an order approving the sale (the "**Sale**") of a condominium located at and known as Unit I-9 Twin Lights Terrace Condominium, Highlands, New Jersey 07732 (the "**Condominium**") free and clear of all liens, claims, incumbrances and other interests.

1. The Condominium is located with the boundaries of Highlands. The Condominium is subject to a property tax which is due and payable through quarterly payments on an annual basis (the “**Property Tax(es)**”).

2. There are no outstanding tax sale certificates or outstanding tax liens owed to Highlands on account of unpaid Property Taxes.

3. Property Tax related to the Condominium is current through the Third Quarter of 2022. The next Property Tax payment for the Condominium is due on November 1, 2022 (the “**Fourth Quarter Due Date**”) in the amount of \$2,020.37 (the “**Fourth Quarter Payment**”).

4. Highlands does not object to the Sale of the Condominium. However, the Fourth Quarter Payment must be made by the Fourth Quarter Due Date. The Fourth Quarter Payment must be made by the person or entity that owns the Condominium on the Fourth Quarter Due Date. Similarly, all future Property Tax obligations, beyond the Fourth Quarter Payment, also must be paid by the person or entity that owns the Condominium on the date that such quarterly payments become due. This amount includes any additional payment obligations such as sewer charges and other related items.

5. In the event that the Sale of the Condominium occurs after the Fourth Quarter Due Date, then the Trustee must pay the Fourth Quarter Payment by the Fourth Quarter Due Date. In the event that the Sale of the Condominium occurs before the Fourth Quarter Due Date, then the Trustee’s buyer will be obligated to pay the Fourth Quarter Payment. Highlands also recognizes that the Trustee and the Trustee’s buyer may agree to proportion their respective responsibilities for the Fourth Quarter Payment at the time of closing of the Sale.

6. The Borough of Highlands therefore respectfully requests that the Trustee be compelled to pay the Borough of Highlands any portion of the Fourth Quarter Payment that is the

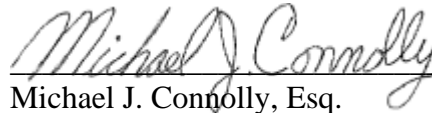
responsibility of the Trustee on or before the Fourth Quarter Due Date (from the proceeds of the Sale or otherwise), and to similarly pay any future Property Tax that is the responsibility of the Trustee by the applicable due date (from the proceeds of sale or otherwise).

7. Highlands reserves all of its rights in the event that the Fourth Quarter Payment, or any future Property Tax payments, are not timely received.

DATED: Freehold, New Jersey
September 20, 2022

Respectfully submitted,

DAVISON EASTMAN MUÑOZ PAONE, P.A.
Attorneys for Borough of Highlands, New Jersey

A handwritten signature in cursive script, reading "Michael J. Connolly", is written over a horizontal line.

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